

1 **WO**

2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF ARIZONA
7

8 United States of America,)

9 Plaintiff,)

10 vs.)

11 Fernando Magallenez-Orona,)

12 Defendant.)
13

No. 08-6383-M

ORDER

14 Having considered the Parties' Joint Motion to allow the government additional time
15 under the Speedy Trial Act to file an indictment, the Court finds that the ends of justice served
16 by granting the extension outweigh the best interest of the public and the defendant in a speedy
17 trial. 18 U.S.C. § 3161(h)(8)(A).

18 In making this finding, the Court has considered each of the factors specified in 18
19 U.S.C. § 3161(h)(8)(B). In addition, the Court has considered the following:

- 20 1. Counsel has only recently been appointed;
- 21 2. The defendant wishes to consider the plea offer extended by the government;
- 22 3. The defendant wishes to investigate possible defenses prior to considering the
23 government's plea offer, which is made pursuant to a "fast track" early disposition program
24 authorized by the Department of Justice pursuant to § 401(m) of the Prosecuting Remedies and
25 Tools Against the Exploitation of Children Today Act of 2003 (PROTECT Act), Pub. L. 108-
26 21, 117 Stat. 650 (Apr. 30, 2003);
- 27 4. The government's plea offer, if accepted by the defendant and then the court, would
28 likely reduce defendant's exposure to a significant term of imprisonment;

